IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 10013 of 2001

Between:

Satyanaraytanapuram Plot Owners Association rep.by its President Palikalaxman Rao,S/o. Tatabbai, Regd.No.1548/2000 Pidimigoyya (V) Rajahmundry Rural Mandal,E.G.Dist. R/o. Satyanarayanapuram Pidimgoyya.

..... PETITIONER

AND

1. Commissioner Rajahmundry Municipal Corporation & Nodal officer of Janma Bhoomi Programme, Rajahmundry , E.G.Dist.

2. Pidimigoyya Grampanchayat, rep.by its Executive Officer , Pidimigoyya Rajahmundry Rural Mandal, Rajahmundry, E.G.dist.

3 Pollution Control Board, rep.by its Dy. Executive Engineer, Kakinada, E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction more particularly in the nature of writ of mandamus declaring the action of the 1st respondent in approving the scheme for diversion of drain and waste chemical water into Satyanarayapuram layout of Pidimigoyya (V) detrimental to the interest of residents of Satyanarayanapuram and neighbouring colonies under Janmmabhoomi program without any authority or jurisdiction, as illegal, arbitrary

highhanded and cannot be justified in the eye of law and consequently direct the respondents not to divert the drain and the waste chemical water into the Satyanarayanapuram of Pidimigoyya (V) through the proposed drains and further direct not to close the existing tenukalavani cheruvu, in the interest of justice and pass other and further order or orders as this Hon'ble Court deem fit and proper in the in the circumstances of the case.

For the Petitioner: None appeared

Counsel for the Respondent No.1: MR.E.SAMBASIVA PRATAP

Counsel for the Respondent No.2: None appeared

Counsel for the Respondent No.3: S.V. Bhatt

The Court made the following Oral Order:

(per Sri Devinder Gutpa, CJ)

Despite notice, nobody has bothered to appear and put in appearance on behalf of the petitioner-association. It appears that the petitioner-association is not interested in prosecuting the case. The writ petition is accordingly dismissed. No costs.

DEVINDER GUPTA,CJ

DATE: 22nd JULY, 2004

C.V. RAMULU,J

pnb

To

1. The Commissioner, Rajahmundry Municipal Corporation & Nodal officer of Janma Bhoomi Programme,

   Rajahmundry , E.G.Dist.

2. The Executive Officer, Pidimigoyya Grampanchayat,
   Pidimigoyya, Rajahmundry Rural Mandal, Rajahmundry,
   E.G.dist.

3. The Deputy Executive Engineer, Pollution Control Board,

   Kakinada, E.G.Dist.

4. Two C.D. copies